REMARKS

The most recent Office Action mailed July 12, 2007 ("*Office Action*") considered claims

1-27. The *Office Action* rejected claims 1-6, 9, 12-15, 20-22, 24, and 26-27 under 35 U.S.C. §

102(b) as being anticipated by M. Gunderloy, *Managing Versions of an Application*, Feb. 2002,

Lark Group, Inc., pp. 1-6 ("*Gunderloy*"). The *Office Action* also rejected claims 7-8, 10-11, 16-

19, 23, and 25 as being unpatentable over *Gunderloy* in view of S. Pratschner, *Simplifying*

Deployment and Solving DLL Hell with the .NET Framework, Nov. 2001, Microsoft

Corporation, pp. 1-12 ("*Pratschner*").[1]

With this paper, claims 1-27 are pending, of which claims 1, 20, 22, 26, and 27 are

independent. Claim 26 is a computer program product claim corresponding to the limitations of

independent claim 1, while claim 27 is a computer program product claim corresponding to the

limitations of independent claim 22. Applicant herewith amends claims 1, 5-6, 8-11, 13-14, and

16-27.

In addition, Applicants herewith amend ¶ 49 of Applicants' Application Publication

(20050177826) to correct some informalities in wording and punctuation. Applicants

respectfully submit that the amendments to the specification present no new matter.

Accordingly, Applicants' invention as recited in amended claim 1 (and corresponding

computer program product claim 26) comprises receiving a request from a requesting component

for access by the requesting component of a computer-executable target component, wherein the

request includes an indication of the lowest possible version of the target component that the

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[1] Applicants reserve the right to challenge the sufficiency of the *Gunderloy* and *Pratschner* references under 102(b) as there may be some question as to the publication date(s), as these documents appear to be only online publications.

requesting component can accept; upon receiving the request from the requesting component, identifying a versioning policy of the specified lowest possible version of the requested target component; identifying an appropriate version of the target component based on the versioning policy of the specified lowest possible version of the target component, wherein the appropriate version of the target component is at least as high as the lowest possible version; and providing the requesting component with access to the appropriate version of the target component, wherein the requesting component executes the identified and provided target component.

Applicants' invention as recited in amended independent claim 20 comprises receiving a request from a requesting component for access by the requesting component of a computer-executable target component, wherein the request includes an indication of the lowest possible version of the target component that the requesting component can accept; a step for, upon receiving the request from the requesting component, determining an appropriate version of the requested target component based on a versioning policy corresponding to the requested target component, and allowing access to the appropriate version of the requested target component such that the requesting component accesses the appropriate target component as it has been configured to do so, and such that the requesting component does not fail when requesting access to a component that has been upgraded.

In addition, Applicants' invention as recited in amended independent claim 22 (and corresponding computer program product claim 27) comprises identifying that a requesting component is configured to execute a computer-executable target component; automatically identifying a versioning policy in at least an available existing version of the target component and a versioning policy in an available, previously installed version of the target component; and

automatically determining that only one of the available versions of the target component should remain on the system based on any of the identified versioning policies corresponding to at least the existing version of the target component and the previously installed version of the target component.

By contrast, the *Gunderloy* reference fails to teach each of the limitations of Applicants' invention recited in the claims. For example, *Gunderloy* teaches that a system provides a "default" version to components that can only be overridden by "explicit" user input into a particular interface for a given component. The *Gunderloy* reference indicates that when the user (*e.g.*, application developer) creates (*i.e.*, "you create") a component, the user can fill out various parts of a version number for a given component. *Gunderloy*, pp. 1-3. The user can also indicate the specific version of a target component that the requesting component will need. *Id.*

If the user does not "explicitly" request a specific version number, however, the system in *Gunderloy* provides a requesting component with a "default" version of the target component, which is the version of a target component available when the requesting component was built/installed. *Id.*; *see also*, pg. 3 (stating, "you'll see that even though there is a more recent version of the library installed, the older version will be used by the client application until you explicitly construct an application configuration file.") In some cases, *Gunderloy* indicates that the system may even miss any user input (and thus provide a default version) if the user fails to create a policy file using "strong names." Accordingly, *Gunderloy* describes a system in which user input is heavily involved as a means of varying from a default version of a target component, particularly as target and requesting components are continually updated. *Id.*

Applicants' invention as recited in claim 1, however, includes removing much of this involvement from the user; and, rather, provides a system that can make automatic determinations about which specific version of a target component to use based on qualitative determinations about the capabilities of requesting and target components. For example, claim 1 recites that the system receives a request from a computer-executable requesting component that includes "an indication of the lowest possible version of the target component that the requesting component can accept." In addition, claim 1 recites that the system identifies an appropriate version of the target component "that is at least as high as the lowest possible version."

Support for these amendments can be found throughout Applicants' specification, and in particular for example at ¶¶ 38, and 48-49 of Applicants' Application Publication. For example, ¶ 38 discloses:

> the requesting component can indicate that lower versions of "component 1" are not to be returned in response to the request. Accordingly, determining module 100 can provide requesting component 105 with access to "version 3" of "component 1", even though "version 1.1" and "version 1.2" are accessible.

In addition, ¶¶ 48-49 disclose the use of automated "granular access to different components." For example, ¶¶ 48-49 teach that the system can automatically select from one of multiple different versions of target components depending on the automated determinations about the specific process.

Such granular, automated determinations by the system based on provided minimum values are not possible from the disclosure of *Gunderloy*. As previously mentioned, *Gunderloy* relies on explicit user input to deter the system from accepting the default target component. Accordingly, Applicants respectfully submit that the *Gunderloy* reference fails to teach, disclose,

or otherwise suggest amended independent claims 1, 20, and 26. Applicants respectfully submit, therefore, that amended independent claims 1, 20, and 26 are allowable for at least these reasons, and the rejection of the corresponding dependent claims is now moot.

With regard to independent claims 22 and 27, Applicants also respectfully traverse the rejection in further view of the present amendments. In sum, this implementation of Applicants' claimed invention generally involves identifying different versioning policies corresponding to two different versions of the same target component (*i.e.*, current/existing version, and previously installed version), and identifying that a particular version of a target component should "remain on the system." In particular, the recited implementation relates to the situation in which the system receives new target components during an upgrade of one or more components (*e.g.*, in a new application build), and then makes determinations regarding whether to overwrite prior versions of a target component or simply install the versions of the target component beside previous versions of the target component (without overwriting).

Applicants respectfully submit, however, that nothing in the *Gunderloy* reference teaches the recited limitations, much less that these limitations are performed "automatically," such as amended. For example, the *Office Action* cites *Gunderloy* at pp. 3-5 for this implementation of Applicants' invention. These cited passages, however, simply teach that a system reviews various different policy files for a component (*e.g.*, application level, publisher level, administrator level), and looks for user input information that might override default version information. Again, as with claims 1, 20, and 25, the system of *Gunderloy* relies on explicit user input in a policy file to deter use of the default version of the target component. *E.g.*, pg. 3. Nothing in these passages of *Gunderloy*, however, refer to managing upgrades, whereby the

system makes automated determinations about what specific versions of a target component should "remain" on the system, that such determinations are made based on versioning policies for each target component, and that such determinations are performed automatically. Applicants respectfully submit, therefore, that amended independent claims 22 and 27 (and the corresponding dependent claims) are allowable for at least this reason.

In addition to the foregoing, Applicants have made a number of amendments to the dependent claims to clarify one or more features of Applicants' claims. Applicants respectfully submit that each of these amendments are supported throughout the specification, and are allowable over the references of record. With particular regard to dependent claim 23, for example, Applicants disclose in ¶ 40 of the Application Publication that servicing values can be used so that the system automatically overwrites current versions of a target component without creating conflicts in the system. This is typically done where the update to the target component is relatively minor. In particular, Applicants disclose in ¶ 40 that:

> Utilizing servicing values to facilitate component replacement is particularly advantageous for implementing minor changes that have a reduced likelihood of causing incompatibility with other components, for fixing bugs, or for fixing security issues whether related to library or platform components. That is, servicing values can facilitate "patching" a version of a component.

Applicants respectfully submit, therefore, that dependent claim 23 is allowable over the references of record, and thus provides still additional bases of patentability.

In view of the foregoing, Applicants respectfully submit that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicants acquiescing to any of

the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicants reserve the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicants specifically request that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 12th day of September, 2007.

Respectfully submitted,

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